



09-14-05

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PTO/SB/31 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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Docket Number (Optional)

67500-353

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as

☐ first class mail [37 CFR 1.8(a)]

☒ Express Mail No. EV 612876856 US [37 CFR 1.10]

in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450".

On 9-13-05

Signature Rainie Mills

Typed or printed name Rainie L. Mills

In re Application of
Lori Ann Wilson

Application No.

09/751,397

Filed

01/02/2001

For **WAXY WHEAT PRODUCTS AND PROCESSES FOR PRODUCING SAME**

Art Unit

1761

Examiner

Thuy Tran Lien

Applicant hereby **appeals** to the Board of Patent Appeals and inferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☒ A check in the amount of the fee is enclosed.

09/15/2005 TBESHAH1 00000018 09751397

☐ Payment by credit card. Form PTO-2038 is attached.

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500.00 00

☐ The Director has already been authorized to charge fees in the application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **08-2789**. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.
Registration Number **43,118**

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34.

Signature

Randall L. Shoemaker

Typed or Printed Name

248 723-0425

Telephone Number

9/13/05

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ * Total of **1** forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.